

**REMARKS**

Claims 1-50 are all the claims pending in the application after entry of the above-noted amendments. Claims 47-50 are newly added. Claims 25-36 are allowed. Claim 17, 20, 37, 38 and 41-46 have been examined. The Examiner objects to claims 1-16, 18, 19, 21-24, 39 and 40.

**CLAIM OBJECTIONS:**

The Examiner objects to claims 1, 3, 6, 10, 17, 19, 37, 39, 43 and 45 because of informalities. In particular, the Examiner asserts that in claims 1, 3, 6, 10 and 19, the recitation of “each cartridge having” should read --said cartridge comprising--. Similarly, in claims 17, 37, 39, 43 and 45, the Examiner alleges that the phrase “each cartridge includes” should be --said cartridge comprising--. Applicant amends the objected claims<sup>1</sup> to overcome the objection, and respectfully requests its withdrawal.

**35 U.S.C. §102:**

*Claims 17, 20, 37, 38, 41 and 42*

Claims 17, 20, 37, 38, 41 and 42 are rejected under 35 U.S.C. §102(b) as being anticipated by Childers et al (EP 878 307 [hereinafter “Childers”]). This rejection is respectfully traversed in view of the following remarks.

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<sup>1</sup> Applicant points out to the Examiner that claim 19 expressly recites a plurality of ink cartridges, and that the further recitation of “each ink cartridge” should not be objectionable.

The Examiner asserts that Childers discloses an ink cartridge 12, a cartridge accommodating portion 14, a contact 24 and connecting members 30. In particular, the Examiner now alleges that the contact 24 is contained on a surface of the recess (Fig. 3) and that such a surface can be interpreted as being an "outside" surface of the ink cartridge. (See Section 8, lines 3-11.) The Examiner then contends that the features of claims 17, 20, 37, 38, 41 and 42 are disclosed by Childers.

The rejected independent claims 17, 20 and 37 are amended to further define the surface of the ink cartridge as "facing away from all other surfaces of said ink cartridge." Claim 38 is amended to further define the side surface of the accommodating portion as being outside of the ink cartridges when the ink cartridges are attached to the cartridge accommodating portion so that the side surface does not protrude into the ink cartridges.

Childers fails to disclose these features. In particular, the alleged contact 24 is acknowledged by the Examiner as being contained on a surface of a recess, as shown in Fig. 3. Because the contact is formed on an alleged surface of the recess, such a surface must face the opposing surface in the recess. Therefore, it does not disclose the claimed surface of the ink cartridge that faces away from all other surfaces of the ink cartridge as in proposed claims 17, 20 and 37; or the features of claim 38. The rejection of dependent claims 41 and 42 should be withdrawn at least by virtue of these claims respectively depending from independent claims 37 and 38.

*Claims 17, 20, 37, 38 and 41-46*

Claims 17, 20, 37, 38 and 41-46 are rejected under 35 U.S.C. §102(b) as being anticipated by Shinada et al. (EP 997 297 [hereinafter "Shinada"]). This rejection is respectfully traversed in view of the following remarks.

The Examiner asserts that Shinada discloses an ink cartridge 40, 50 that is detachably attached to a cartridge accommodating portion 4. The Examiner further asserts that this reference discloses a contact 31 that contacts connecting members 24, 25 formed in the cartridge accommodating portion. In an effort to teach the recited position of the claimed contact, the Examiner interprets the claimed aligning direction as being the vertical direction of Fig. 3. Thus, because the contact of Shinada is offset in a top-to-bottom direction of the ink cartridge, the Examiner asserts that this teaches the claimed positioning of the contact in an aligning direction.

Applicant further defines the claimed aligning direction as being the direction in which the ink cartridges are aligned with each other. For example, as shown in a non-limiting, illustrative embodiment of Fig. 3 (and described on page 11, lines 4-6) in the present application, the aligning direction is represented by direction "X". The contact of Shinada is not offset in this direction. Instead, the contact of Shinada is centered in regard to the further defined aligning direction. Accordingly, Shinada fails to disclose each feature recited in the rejected claims, and Applicant respectfully requests that the rejection be withdrawn. The rejection of dependent claims 41 and 42 should be withdrawn at least by virtue of these claims respectively depending from independent claims 37 and 38.

**ALLOWABLE SUBJECT MATTER**

Claims 18 and 24 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form. Also, the Examiner has acknowledged that claims 1-16, 19, 21-23, 39 and 40 would be allowable if rewritten to overcome the above-noted objections. Applicant respectfully submits that the objections are overcome, and requests that claims 1-16, 19, 21-23, 39 and 40 be allowed.

**NEW CLAIMS:**

Applicant adds new claims 47-50 to obtain more varied protection for the invention. These claims are also neither taught nor suggested by the prior art. For example, claim 47 describes the outside surface of the ink cartridge as being substantially parallel to the insertion direction and the aligning direction. Claim 48 describes the side surface of the cartridge accommodating portion as being substantially parallel to the insertion direction and the aligning direction. Claims 49 and 50 describe distances between contacts on adjacent ink cartridges to further distinguish the offset aspects of the contacts over that of the contacts found in the applied references.

In view of the preceding amendments and remarks, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue that the Examiner feels may be best resolved through a personal or telephone interview, he is kindly requested to contact the undersigned attorney at the local telephone number listed below.

AMENDMENT UNDER 37 C.F.R. §1.111  
U.S. Application No. 09/974,046

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An Excess Claim Fee Payment Letter with appropriate fee accompanies this document. The USPTO is directed and authorized to charge all additional required fees (except the Issue Fee and/or the Publication Fee) to our Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

In view of the closing of the U.S. Patent and Trademark Office on December 26, 2003, the filing of this document on December 29, 2003, is timely and, thus, no Petition for Extension of Time or fee is warranted.

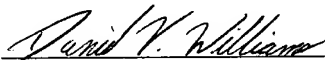
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